

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
DELTA DIVISION**

**JOSEPH R. ALLEN
REG #27249-045**

PETITIONER

v.

CASE NO. 2:19-CV-00107-BSM

DEWAYNE HENDRIX

RESPONDENT

ORDER

United States Magistrate Judge J. Thomas Ray's recommended disposition [Doc. No. 11] and the entire record, including Joseph Allen's objection, have been reviewed *de novo*. The RD is adopted in its entirety and Allen's petition for writ of habeas corpus [Doc. No. 1] is dismissed with prejudice. Dwayne Hendrix's motion to dismiss [Doc. No. 5] is denied as moot.

Allen alleges the Bureau of Prisons ("BOP") violated his right to due process by denying him a transfer to a different facility where he could participate in certain programs. The RD correctly provides that a 28 U.S.C. section 2241 habeas corpus petition is not the correct vehicle for this type of relief. *See Spencer v. Haynes*, 774 F.3d 467, 469 (8th Cir. 2014) (prisoners may only challenge conviction or sentence length in a § 2241 petition). Moreover, the BOP did not violate Allen's rights because he does not have a right to incarceration at a specific facility or to participate in specific programs. *See Wilks v. Mundt*, 25 Fed. App'x 492, 492 (8th Cir. 2002) (prisoner has no right to participate in specific prison programs).

IT IS SO ORDERED this 24th day of February, 2020.


UNITED STATES DISTRICT JUDGE